

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

JOANN WILLIAMS-BRANCH,)
Personal Representative for)
the Estate of Jessie D.)
WILLIAMS, deceased,)
Plaintiff,)
vs.) No. 9705-03957
PHILIP MORRIS, INC., PHILIP)
MORRIS COMPANIES, INC., and)
FRED MEYER, INC.,)
Defendants.)

DEPOSITION OF MAYOLA WILLIAMS

Taken in behalf of Defendants

Wednesday, September 2, 1998

Volume II

BE IT REMEMBERED THAT, pursuant to Oregon Rules

2 of Civil Procedure, the deposition of MAYOLA WILLIAMS
3 was taken before Lisa J. Pace, Certified Shorthand
4 Reporter for Oregon, on Wednesday, September 2, 1998,
5 commencing at the hour of 9:13, the proceedings being
6 reported in the law offices of Swanson, Thomas &
7 Coon, Portland, Oregon.

8 * * *

9 A P P E A R A N C E S

10 APPEARING FOR PLAINTIFF:

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24 Also Present: Joann Williams-Branch
25

* * *

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1 MAYOLA WILLIAMS

2 having first been sworn or affirmed, was examined and
3 testified under penalties of perjury as follows:

4
5 MR. GAYLORD: Let me say a couple things on the

6 record as we just get started. One is I'm just
7 saying this now because I tend to forget otherwise.
8 I don't know what the reporter's habit is for
9 stipulations and so forth, but we do not waive
10 reading and signing of the transcripts, so you know
11 that.

12 MR. DUMAS: You do not waive?

13 MR. GAYLORD: Do not waive.

14 MR. THOMAS: And in regard to the depositions of
15 Glenn and Freda yesterday, I'd like to read and sign
16 for both of those and request that the correction
17 sheets in the depositions be sent to me, please.

18 MR. GAYLORD: Just to preface today, of course,
19 I'm sure everybody's aware, but the record should
20 make clear this is a continuation of the deposition
21 of Mayola Williams under circumstances of the Court's
22 order for some limited additional discovery. And
23 we've all got copies of it and I'm not going to make
24 any speeches about what those limits are unless we
25 get to the point where we need to draw the lines.

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1 But that's what we're here for.

2

3

EXAMINATION

4

BY-MR. RANGLES:

5

Q. Ms. Williams, we've met before.

6

A. Yes.

7

Q. You recall I asked you some questions at a previous
8 deposition?

9 A. Yes.

10 Q. And as your attorney has stated, this is a

11 continuation of a deposition pursuant to the judge's

12 order to pursue some lines of questioning that your

13 attorney cut off at the prior deposition. And I will

14 certainly do my best not to be repetitious in any

15 way.

16 I just want to remind you the same rules apply

17 as at the last deposition. You've affirmed to tell

18 the truth. If you don't understand any of my

19 questions, please stop me and I will repeat them or

20 rephrase them. All right?

21 A. Yes.

22 Q. You need to make sure that where appropriate you

23 provide verbal "yes" or "no" answers to the reporter,

24 because it's hard for the reporter to take down nods

25 or something like that. And of course if you need a

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1 break, just let me know and we'll take it.

2 Are you taking any medication today that would

3 impair your memory or ability to answer my questions

4 fully?

5 A. No.

6 Q. Do you know of any reason why you would be unable to

7 answer my questions fully and completely today?

8 A. No.

9 Q. All right. Just one preliminary matter. Your

10 lawyer's made available to us several bound volumes

11 of Jehovah's Witness publications. Do you know what

12 I'm referring to?

13 A. Yes.

14 Q. And a number of those were bound by year, like all of

15 the publications of Awake for a year or Watchtower

16 for a year. Have I stated that correctly?

17 A. Yes.

18 Q. Where did you get those volumes?

19 A. From the society.

20 Q. Do you order them from the society and they sent them

21 to you?

22 A. Yes.

23 Q. All right. Did you get all of those volumes new from

24 the society?

25 A. Yes.

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1 Q. Okay. And were those volumes used for you and your

2 family's personal studies?

3 A. No. They were used for my personal studies.

4 Q. All right. Did any of your other family members ever

5 use the bound volumes?

6 A. Not that I know of.

7 Q. Did you ever discuss the contents of the bound

8 volumes with your family members?

9 A. No, not the bound volumes. No.

10 Q. Would it be correct to state that you got the bound

11 volumes at the end of the year and the particular

12 issues within them as the year went on? In other

13 words, you would get the individual volumes before

14 you would get the bound volumes?

15 A. Yes.

16 Q. Thank you. Would your family members study the

17 individual volumes as the year went on?

18 A. I'm sure they read them, some of my family.

19 Q. Now, all the questions I ask you today unless I

20 specify otherwise are limited to the time period

21 before your husband's death. All right?

22 A. Would you repeat.

23 Q. Sure. All of the questions I'm going to ask you for

24 the remainder of today unless I specifically state

25 otherwise are limited to the time period before your

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1 husband's death. All right?

2 A. Yes.

3 Q. And I'm not asking for any information after your

4 husband's death. All right?

5 A. Right.

6 MR. GAYLORD: Let me just comment, though. I

7 appreciate what you're saying, Counsel. I think it

8 would still be appropriate to phrase the questions in

9 the proper time context because otherwise it's going

10 to be confusing.

11 MR. RANGLES: I don't think it will. If it

12 comes up, we will. You will note that I'm going to

13 attempt to use past tense verbs throughout to help

14 clarify that. I'm not calling for present

15 understanding, again, pursuant to the Court's order.

16 Q. Did the Jehovah's Witness fellowship teach that

17 cigarette smoking was addictive or an addiction?

18 A. No. They didn't teach that it was. There have been
19 articles where -- that they've quoted other people as
20 saying it was addictive.
21 Q. Did you believe, again, prior to your husband's
22 death, that cigarette smoking was an addiction?
23 A. I did, yes.
24 Q. When did you first come to that belief?
25 A. From hearing it on the radio or television or reading

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1 a newspaper.
2 Q. Was there a point in time where you became convinced
3 that cigarette smoking was an addiction or addictive?
4 A. No, there wasn't. I went along with the general
5 public in believing what they heard on the radio or
6 TV.
7 Q. Have you believed that cigarette smoking is an
8 addiction for basically as long as you can remember?
9 A. No.
10 Q. Do you remember when you came to that belief?
11 A. No.
12 Q. Do you remember if it was in the 1960s?
13 A. I can't remember dates.
14 Q. Let me be clear. I'm not asking for a date now, I'm
15 just asking for a decade. Would it have been within
16 the 1960s?
17 A. I can't remember that.
18 Q. Do you remember if it would have been before the
19 1980s?
20 A. Probably, yes.

21 Q. Do you remember if it would have been before the
22 1970s?
23 A. I can't say that.
24 Q. All right. Do you remember where you first saw
25 publications stating that smoking was addictive?

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1 A. What publication are you referring to?
2 Q. You stated my question better than I did. I'll try
3 again.
4 Do you remember in what publications you first
5 saw articles about the addictive nature of smoking?
6 A. Probably something like the -- I can't remember that
7 little magazine. I can't remember the name of it,
8 but it's a well-known magazine.
9 Q. A magazine like in the popular literature?
10 A. Yeah.
11 Q. Would it have been Reader's Digest?
12 A. I read Reader's Digest. Could have been that, but I
13 can't remember.
14 Q. Some magazine in the popular literature?
15 A. Some magazine. Yeah, I was in a doctor's office and
16 reading magazines, and I saw. That's the first time
17 I remember reading it in a magazine. But then
18 basically I got my knowledge from television or
19 radio.
20 Q. Do you remember what doctor's office you were in when
21 you read that?
22 A. My doctor's office, Dr. -- Well, not the doctors.
23 The clinic, yeah, I remember what clinic I was in.

24 Q. Okay. Which one was that?
25 A. It was called Bodine Clinic at the time.

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1 Q. Did you call your husband's attention to that
2 article?
3 A. No.
4 Q. When did you first discuss with your husband the
5 addictive nature of smoking?
6 A. I can't remember.
7 Q. Do you remember if it was before the 1980s?
8 A. I can't remember.
9 Q. Do you remember if it was before or after he was
10 disfellowshipped?
11 A. Basically, after he was disfellowshipped. That's the
12 most time I mentioned it to him.
13 Q. What did you tell him when you mentioned that to him?
14 A. I just told him that he smoked too much and that
15 it's -- was bad for his health and he shouldn't
16 smoke. And also was bad for my health.
17 Q. And what did he say?
18 A. He said, well, he just said, phooey.
19 Q. Indicating he didn't want to talk about it?
20 A. Right.
21 Q. All right. Did you talk to him about that same issue
22 on subsequent occasions?
23 A. Yeah, we've discussed it.
24 Q. I'm sorry. I didn't mean to cut you off.
25 A. That's it.

1 Q. Okay. You discussed it. What would his response
2 typically be?

3 A. Just like, you know, shrug it off. He didn't believe
4 that it was addictive. He believed what tobacco
5 companies said about it and I believed what the
6 government had to say about it.

7 Q. Did he ever tell you he believed what the tobacco
8 companies said?

9 A. Well, he believed the tobacco companies when they
10 wouldn't sell tobacco if it wasn't hurting people or
11 harm people. That's how strongly he believed. He
12 didn't believe that the company would sell something
13 that was going to harm him.

14 Q. And that's what he would say to you?

15 A. That's what he would to say me.

16 Q. Did he ever point to any specific tobacco company
17 statements when he said that?

18 A. No. He was just talking about tobacco that he smoked
19 at the time. I guess that was his reference to what
20 he was smoking.

21 Q. So let me see if I understand. His response would be
22 that they wouldn't sell it if it was dangerous or
23 addictive?

24 A. Yeah, he didn't believe that they would.

25 Q. I see. Did you ever point out the warnings on the

1 packs to him?

2 A. Yes, we have, we talked about that.

3 Q. And do you recall that one of the warnings on the

4 pack specifically warned that smoking could cause

5 lung cancer?

6 A. No, there was no such -- I never saw that on the

7 package. I only saw there -- where it says surgeon

8 general warrants that it's against your health, that

9 it would be harmful to your health.

10 Q. Let's start with that one. I'll represent to you

11 that warning on a pack in 1960, the one that says

12 "may be hazardous to your health" in 1966, and the

13 one that says "is dangerous to your health" in 1970.

14 A. That's the one.

15 Q. When you would point that warning out to him, warning

16 that the surgeon general has determined that

17 cigarette smoking is dangerous to your health, what

18 would he say?

19 A. He would say that doesn't -- that it didn't affect

20 him because, you know, he wasn't -- it didn't --

21 because it just didn't say that it would give him

22 cancer. I wasn't talking to him about saying it's

23 dangerous to your health. I would say, you're going

24 to get cancer. And he would say, it doesn't say that

25 you're going to get cancer.

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1 Q. Okay. Let's move forward in time a bit. In 1985,

2 one of the warnings on the pack said: "Surgeon

3 General's warning: Smoking causes lung cancer, heart

4 disease, emphysema and may complicate pregnancy."
5 Did you ever discuss that warning with him?
6 A. I've talked to him about it.
7 Q. And what would he say about this warning which
8 specifically says "smoking causes lung cancer"?
9 A. As I said before, he didn't believe that tobacco
10 companies would sell anything that would cause harm
11 to people. Just like, you know, he doesn't believe
12 that, you know, like this food that we buy, or
13 medication that we take, he has a firm belief that no
14 company would sell something that's going to hurt
15 you.
16 Q. Even though it says on the pack smoking can cause
17 lung cancer, you're saying he was aware of that but
18 did not believe it?
19 MR. GAYLORD: Objection; argumentative.
20 A. He wasn't aware of that. I didn't say that he was
21 aware that it said it on the package. You asked me
22 did I discuss it with him, and I told you I had.
23 Q. All right. So you discussed the fact that the
24 warning says smoking can cause lung cancer, correct?
25 A. Yes, I have.

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1 Q. And he said, well, I don't believe that; is that
2 correct?
3 A. Well, not in those words, but --
4 Q. What words did he use --
5 A. -- basically.
6 Q. -- to the best of your recollection?

7 A. I cannot remember.

8 Q. Did you at all times agree with all Jehovah's Witness
9 teachings about smoking?

10 A. I believe in Jehovah's teachings about religious
11 matters, all of what they teach about religious
12 matters. And smoking is not a religious matter, so I
13 didn't have to believe or not to believe.

14 Q. I'm asking whether you believed, though.

15 A. That I believed that -- Repeat it.

16 Q. Did you agree with all of the Jehovah's Witness
17 organization's teachings about smoking at all times?

18 MR. GAYLORD: Object to the form of the
19 question.

20 A. Yes, I believe what they wrote was true, because some
21 of the things that they wrote was quoted by other
22 people who, doctors and different ones, who had
23 researched into this subject about tobacco being
24 addictive. So what they wrote, I believed.

25 Q. Did Mr. Williams agree with all the Jehovah's Witness

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1 teachings about smoking?

2 MR. GAYLORD: Object to the form of the
3 question.

4 A. My husband didn't believe -- if he had -- he didn't
5 believe, no.

6 Q. Which Jehovah's Witness teachings about smoking are
7 you aware of that he did not believe?

8 A. Which -- I didn't get you.

9 Q. Okay. Try again. Which Jehovah's Witness teachings

10 about smoking are you aware of that he did not
11 believe?
12 A. He just didn't believe about smoking was going to be
13 harmful to him, whether Jehovah's Witnesses or
14 anybody, he just didn't believe that the tobacco
15 companies would put out a drug that would harm him.
16 That's it.
17 Q. So even though his church taught it was harmful, he
18 didn't believe that because he believed more in the
19 tobacco companies?
20 MR. GAYLORD: Object to the form of the
21 question, it's argumentative.
22 Q. You can answer.
23 A. My husband was disfellowshipped from Jehovah's
24 Witnesses. Okay. So after he was disfellowshipped
25 from the Jehovah's Witnesses, he didn't read the

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1 literature any more. So therefore, whatever they
2 taught didn't apply to him.
3 Q. Do you recall testifying in your prior deposition
4 that he read the Jehovah's Witness literature
5 regularly up until his death?
6 A. I don't remember that.
7 Q. You recall providing testimony under oath on April 6,
8 1998 with me asking you questions, correct?
9 A. If you say that's the date, I don't remember the
10 date.
11 Q. But you remember --
12 A. I remember going -- doing this with you before.

13 Q. And do you remember testifying in your prior
14 deposition --
15 MR. THOMAS: Could we get a cite, please,
16 Counsel.
17 MR. RANGLES: Sure. Page 15, starting at line
18 20.
19 Q. "Is it your regular practice to basically read those
20 publications cover to cover?
21 Answer: Yes.
22 Question: Was that Mr. Williams' regular
23 practice?
24 Answer: Yes.
25 Question: And, again, beginning in 1962, was --

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1 did there ever come a point in time where he stopped
2 reviewing those magazines cover to cover?
3 Answer: He always read those magazines, but he
4 didn't always read them from cover to cover after
5 awhile.
6 Question: When do you think he stopped
7 reviewing them cover to cover?
8 Answer: After he no longer -- he couldn't stop
9 smoking, so he, you know -- during the years he kind
10 of stopped reading them from cover to cover, but he
11 read them all the time.
12 Question: Did he read them up until his death?
13 Answer: Yes."
14 Was that testimony true and accurate --
15 A. That testimony --

16 MR. GAYLORD: Are you finished?
17 MR. RANGLES: Yes.
18 MR. GAYLORD: I object to the form of the
19 question. We're not here for cross-examination of
20 this witness on prior testimony. This is supposedly
21 a continuation of the same deposition on new
22 material. I'm going to say that.
23 If we go any further along these lines, we're
24 going to have a problem.
25 MR. RANGLES: I hadn't anticipated having this

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1 problem at all.
2 Q. Was that testimony true and correct when you gave
3 it?
4 MR. GAYLORD: Well, don't answer that.
5 [INSTRUCTION-BY-COUNSEL]
6 THE WITNESS: Okay.
7 MR. GAYLORD: That's an attempt to impeach her
8 within this deposition on something that you haven't
9 even put in front of her or given her a chance to
10 review in preparation for your questions about it.
11 If you want to ask her if there's an
12 inconsistency or what her explanation is, go ahead.
13 Q. Well, I don't agree with you.
14 But in the interest of moving forward and
15 without waiving the right to come back and ask that
16 question, I will say, do you disagree with that
17 testimony that I just read?
18 A. Not that it was he being inconsistent -- that he read

19 it all the time like you just said he did, no. He
20 did read them throughout his life, but he didn't read
21 certain articles in the magazines. He read certain
22 articles and certain articles he didn't, and tobacco
23 smoking was not one of the articles he chose to read.
24 Q. Did he tell you he was avoiding reading articles
25 about tobacco?

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1 A. No, he just didn't do it. He was a person that
2 didn't believe in reading about something that he
3 liked doing or that he did, that he was addicted to
4 doing. Excuse me for saying like, because he didn't
5 like it, he hated it. But he was addicted to it and
6 he didn't like to be reminded of it.
7 Q. Is that why he continued to smoke, because he was
8 addicted to it?
9 A. Yes, for my opinions, yes, I'm sure.
10 Q. Was there any other reason he continued to smoke?
11 A. No.
12 Q. Did he ever mention any other reason to you?
13 A. No.
14 Q. Was there any source of information Mr. Williams
15 placed more confidence in than the Jehovah's Witness
16 teachings?
17 A. You know, I don't really know what my husband -- I
18 know what he believed in, but I don't know what he
19 believed in more or less. I just know about the
20 religion belief is what I believe in, and not my
21 husband, deep belief in the religion.

22 Q. Did he talk to you about his religious beliefs in
23 depth?
24 A. When we -- when we first got involved with the
25 religion we talked about it in depth, yes.

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1 Q. Over time, now, I'm going to cut off, I'm going to
2 ask now before he was fellowshipped. During the
3 period of time before he was disfellowshipped but
4 after you joined the church, did your discussions
5 about religious belief increase or decrease?
6 A. Mine increased, his apparently decreased.
7 Q. Okay. Did your discussions with him during that
8 period of time increase or decrease?
9 A. I don't know what you mean.
10 MR. GAYLORD: I'm sorry. I object to the form
11 of the question.
12 Q. Was that unclear?
13 MR. GAYLORD: Was that discussions in general?
14 Did she talk to her husband more?
15 Q. Let me rephrase, that's not a good question.
16 You said that when you first joined the church,
17 you and he talked with each other about your
18 religious beliefs in some detail; is that right?
19 A. Yes.
20 Q. Now, from that period of time until the time he was
21 disfellowshipped, did you talk with your husband
22 about his religious beliefs more or less?
23 A. Less.
24 Q. Once he was disfellowshipped, did you talk with your

1 less?

2 A. You just asked that and I told you.

3 Q. No, ma'am. Maybe I wasn't clear. I'm talking about
4 two different time periods. I think you just
5 testified, and if I'm wrong please stop me, that from
6 the time you all joined the Jehovah's Witness church
7 until he was disfellowshipped, your discussions about
8 his religious beliefs got to be less; is that right?

9 A. I don't understand.

10 Q. Okay. Let me try again. I'm dividing the time here
11 and I'm using the time he was disfellowshipped as our
12 division in time. All right?

13 Now, starting from when you and your husband
14 were discussing joining the Jehovah's Witness
15 fellowship in 1962, I believe you testified --

16 A. Yes.

17 Q. -- until the time he was disfellowshipped, just
18 thinking of this period of time, did your discussions
19 about his religious beliefs increase or decrease over
20 time from 1962 till whenever the time of his
21 disfellowship was?

22 MR. GAYLORD: Object to the form of the
23 question.

24 Go ahead.

25 Q. You may answer.

1 A. Before he got disfellowshipped we talked about it
2 more. After he got disfellowshipped, we discussed it
3 less because I was not supposed -- I am not supposed
4 to discuss the religious matters with a
5 disfellowshipped person, so I didn't.

6 Q. Okay. Before he was disfellowshipped, did you feel
7 you had a pretty good understanding of what his
8 personal religious beliefs were?

9 A. Yes.

10 Q. After his disfellowship, did you feel that you had a
11 pretty good understanding of what his personal
12 religious beliefs were?

13 A. Not sure.

14 Q. All right. Now, from the period of time when you
15 joined the Jehovah's Witness fellowship until he was
16 disfellowshipped, would you and he discuss what the
17 Jehovah's Witness fellowship taught about smoking?

18 A. No.

19 Q. Was that because he didn't want to talk about it?

20 A. No. We just didn't discuss religious matters on
21 smoking or certain subjects that was taught by the
22 religion. We don't just go in and bring up a subject
23 of, well, let's talk about smoking today or
24 whatever. We didn't do that.

25 Q. Did you talk about it when there would be an article

1 in Watchtower or Awake about smoking that week?

2 A. No.

3 Q. Why not?

4 A. It wasn't an issue.

5 Q. Did you talk about matters discussed in other

6 articles in Watchtower and Awake during the --

7 A. This is all prior to his disfellowship, I take it.

8 Q. Yes, ma'am.

9 A. Well, that wasn't an issue, that wasn't an issue.

10 Q. You said there wasn't an issue?

11 A. No, for us to discuss smoking or not.

12 Q. Let me see if I understand. If there was an article

13 in Watchtower or Awake --

14 A. We did not discuss it. There was so many articles in

15 our publications that has more important values to

16 discuss than just talking about smoking.

17 Q. And so you didn't discuss the smoking articles either

18 at church or in your home prior to his disfellowship?

19 A. No.

20 Q. Why did you elect not to discuss the smoking

21 articles?

22 A. We didn't elect to. It just wasn't an article, an

23 issue that we thought it was necessary to discuss, so

24 we didn't. If I read it or we read it, well, it

25 wasn't -- we didn't just sit down and discuss what we

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1 read. That was something we did, we just read it.

2 Q. So would you and he sit down and regularly discuss

3 other articles --

4 A. No.

5 Q. -- in the Watchtower or Awake?

6 A. We never did do that. We have -- We used the
7 Watchtower magazine for our religious teachings to
8 study the Bible, as a Bible aid. So that's what we
9 did together with our family. We studied the Bible,
10 the Bible aid studies to study the Bible, not discuss
11 articles that was, you know, such things, smoking and
12 other articles that didn't have to do with teachings
13 from the Bible.

14 Q. When you went to the fellowship meetings, did they
15 discuss articles in both Awake and Watchtower or just
16 Watchtower?

17 A. I can't remember.

18 Q. Do you remember if they ever discussed articles from
19 Awake at the fellowship meetings?

20 A. Would you --

21 Q. Do you remember if, again, prior to your husband's
22 death, if at meetings of your congregation articles
23 in the Watchtower were ever the subject of
24 discussion?

25 A. The Watchtower?

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1 Q. The Watchtower.

2 A. Yeah, it's a subject of discussion. We have it in
3 our once-a-week discussion.

4 Q. And were articles from the Awake magazine ever the
5 subject of discussion?

6 A. No.

7 Q. Never?

8 A. Never.

9 Q. Why not?

10 A. Because that's just a magazine that we have that we

11 give this information on what's going on in the

12 world, basically, and it doesn't have anything to do

13 with our religious teachings from the Bible.

14 Q. Did the Jehovah's Witness publications over the years

15 essentially take the position that a person should

16 not trust what the tobacco industry says?

17 A. I've never read anything like that.

18 Q. Never read an article suggesting that?

19 A. No.

20 Q. Isn't it fair to say that Jehovah's Witness

21 literature has been consistently critical of the

22 tobacco industry over the years?

23 MR. GAYLORD: Object to the form of the

24 question.

25 A. I would not say that, no.

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1 Q. Well, has the tobacco industry been portrayed

2 favorably in Jehovah's Witness publications over the

3 years?

4 A. As I said before, the subject that you've read

5 concerning tobacco in those publications that I let

6 you have, that is -- those are articles that they

7 let -- inform us, keeping us informed of things

8 that's happening in the world. So whether it be

9 tobacco or whether it be food or illness or

10 whatever -- not that's going on. They inform us that

11 things that we -- that's going on in the world and

12 that we should be aware of things that's going on.

13 Q. All right. And as part of that information process,

14 would you say that the articles portray the tobacco

15 industry in a positive light?

16 MR. GAYLORD: I'm going to object to the form of

17 the question.

18 A. That is something I don't know -- don't know how to

19 answer.

20 Q. Well, have you ever heard any Jehovah's Witness

21 publications with articles to the effect of, clearly,

22 the cold-blooded, avaricious tobacco industry cares

23 little how many smokers get lung cancer as long as it

24 makes profits? Do you recall reading statements like

25 that?

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1 MR. GAYLORD: Object to the form of the

2 question.

3 A. I don't remember reading it. Did you read it?

4 Q. Well, it's my turn to ask questions.

5 A. Well --

6 Q. I mean, isn't it fair to say that the Jehovah's

7 Witness publications over the years taught that the

8 tobacco industry was not to be trusted?

9 MR. GAYLORD: Object to the form of the

10 question, also asked and answered.

11 Q. You can answer.

12 A. I don't know how to answer that, because I don't

13 understand it.

14 Q. Okay. Well, I'll try to state it in a different way

15 then. Isn't it fair to say the Jehovah's Witness
16 publications over time have described the tobacco
17 industry as deceptive?

18 A. Well, they have quoted what they read and what they
19 found out about tobacco companies, yes. And if
20 that's -- if that means tobacco company is being
21 deceptive, well, that's what they published.

22 MR. GAYLORD: By the way, if you're worried
23 about hearsay objections, we'll stipulate to the
24 truth of those statements.

25 MR. RANGLES: You're always helpful.

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1 Q. Isn't it also fair to say that over time Jehovah's
2 Witness publications have attacked tobacco company
3 advertising as misleading and deceptive?

4 A. I don't recall Jehovah's Witnesses attacked anybody
5 for any subject or anything.

6 Q. I don't want to quibble with you over words, so I'll
7 try to rephrase. Isn't it fair to say the Jehovah's
8 Witness publications have described tobacco industry
9 advertising as deceptive and misleading?

10 A. Yes, because they're -- Yes.

11 Q. And that's been your understanding and belief
12 regarding the tobacco industry for many years, hasn't
13 it?

14 A. In my eyes, yes.

15 Q. Did you ever discuss your belief the tobacco industry
16 was deceptive and not to be trusted with your
17 husband?

18 A. No, I never.
19 Q. You never brought it up when he would say to you,
20 well, I'm sure they wouldn't sell it if it was going
21 to hurt me? You wouldn't say, you can't trust those
22 people?
23 A. No, I never said anything like that.
24 Q. Did he ever tell you that he thought the tobacco
25 industry was trustworthy and reliable?

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1 A. Yeah, he thought so.
2 Q. What would he specifically say about that?
3 A. I don't know the exact words, but he thought they
4 were. As I said before, that's how he felt.
5 Q. Did you ever talk to your children about what you
6 were reading in the fellowship publications?
7 A. Yeah, we've talked about certain things. Yeah.
8 Q. And before your husband was disfellowshipped, would
9 you talk to your children about what you read in the
10 publications in his presence?

11 MR. GAYLORD: Excuse me. I guess I'm going to
12 just make an inquiry. What would you claim for how
13 this is within either the scope of discovery or the
14 scope of the Court's order for continuation of this
15 deposition?

16 MR. RANGLES: Well, her order specifically says
17 their awareness of church publications or other
18 information regarding the hazards of smoking
19 available to decedent, also their beliefs regarding
20 smoking or the hazards of smoking in decedent's

21 lifetime. So that's a threshold question as to
22 whether to discuss the material --
23 MR. GAYLORD: My concern is what's the children
24 got to do with Mayola's belief about that?
25 MR. RANGLES: Available to --

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1 MR. GAYLORD: Let's see where you go. I'm not
2 going to say anything at this point.
3 MR. RANGLES: I'm getting into family
4 discussions.
5 Would you read back my prior question.
6 [The reporter read as requested]
7 A. I have at times, yes.
8 Q. And did he ever indicate any disagreement with
9 statements he read in Jehovah's Witness publications
10 during those conversations?
11 A. No. My husband didn't talk, discuss things about
12 disbelief or belief, he just -- sometimes he'd listen
13 and sometime he wouldn't. That's just the way he
14 was.
15 Q. You testified to us previously that Jehovah Witnesses
16 always opposed smoking but began prohibiting members
17 from smoking in the 1970s; is that correct?
18 [Mr. Thomas left the room]
19 A. That's to my belief, yes.
20 Q. What did the fellowship teach regarding smokers'
21 abilities to quit smoking?
22 A. That it was -- from the Bible view, it's -- it's
23 filthy and we're not supposed to use anything that's

24 filthy or to fill your body with filth, and tobacco
25 smoke is filthy.

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1 [Mr. Thomas entered the room]

2 Q. Did you ever hear or read anything to the effect that
3 the smoker can break the tobacco habit through faith,
4 prayer and the holy spirit?

5 A. Have I ever heard of that?

6 Q. Yes, ma'am.

7 A. No, not that I can remember.

8 Q. You don't remember your fellowship ever teaching that
9 a smoker through prayer could quit smoking?

10 A. I remember they -- that people have done this, became
11 Jehovah's Witnesses and then they stopped smoking
12 because they believed in what the Jehovah's Witnesses
13 teach. But it didn't have anything to do with
14 tobacco, but they just cleaned their lives up to
15 become a servant of God.

16 Q. Have you ever heard or read that if a smoker really
17 cares not only for his life but his loved ones, he
18 can indeed stop smoking?

19 A. No, I haven't heard that.

20 Q. During your husband's lifetime, would you have agreed
21 with that statement?

22 MR. GAYLORD: I need to make a comment.

23 Off the record.

24 [Discussion off the record]

25 Q. Mr. Gaylord made a very pertinent and helpful

1 observation when we were off the record. I'm not
2 asking in these questions whether you heard the exact
3 words that I'm suggesting to you. I'm asking if you
4 heard anything to this effect. So let me ask the
5 question again.

6 Have you ever heard or read anything to the
7 effect that if a smoker really cares not only for his
8 life but for his loved ones, he can indeed stop
9 smoking?

10 A. I have never heard those words, but I have used those
11 words myself.

12 Q. And then I take it from that, that was your belief
13 prior to your husband's death?

14 A. Yeah. I always told him, you know, I said, well, if
15 you -- this is something that, you know, people say,
16 and just say these things about if you love me, you
17 won't do this or if you love me you won't do that.
18 So, yes.

19 Q. What did the people from the congregation tell your
20 husband about smoking in the months prior to his
21 disfellowshipping?

22 A. Not anything that I can remember.

23 Q. Did anyone from the fellowship talk to him about his
24 smoking?

25 A. Before he was disfellowshipped?

1 Q. Yes, ma'am.

2 A. He -- about six months they gave him, talked to him

3 about it, and then he was supposed -- you know, going

4 to try to stop. And he couldn't stop, so that led up

5 to his being disfellowshipped.

6 [Ms. Williams-Branch left the room]

7 Q. Who talked to him?

8 A. I don't remember.

9 Q. Was it an elder?

10 A. It was an elder, our elders.

11 Q. Do you remember who the elders were at that time?

12 A. No, I can't remember.

13 Q. Do you remember any of their names?

14 A. No.

15 MR. GAYLORD: Excuse me, Counsel. I'm going to

16 ask for a break sometime in the next five minutes

17 when you're at a comfortable spot.

18 MR. RANGLES: Yes. If you could give me about

19 five minutes, that would be good.

20 Q. Did they come and talk to him at your house?

21 A. I can't remember. That's -- I really can't remember.

22 Q. Who brought his smoking to the attention of the

23 congregation?

24 A. I don't remember that either, but I think -- I

25 believe it was -- I don't remember. Was just -- I

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1 can't remember, actually.

2 Q. Okay. Was it a family member?

3 A. I don't remember. I'm trying to think. I can't

4 remember. Anyway, it was that they knew -- I believe
5 it might have came from a family member. I don't
6 know.

7 Q. But you don't remember?

8 A. I don't remember. He was not associating with the
9 organization, so they -- I -- I can't remember.

10 Q. Was there a formal hearing for his disfellowshipping?

11 A. I don't know.

12 Q. Well, was there a meeting where they said something
13 to him about his smoking?

14 A. I can't remember that either.

15 Q. Were there any formal papers or documents that they
16 said to you about his disfellowshipping?

17 A. No, because he wasn't -- he was -- as I said, he
18 wasn't attending the meetings, so he was not informed
19 personally that he was disfellowshipped. They
20 probably read them off to the congregation and then I
21 was there, so I told him, so that's it.

22 Q. So were you at the church --

23 MR. GAYLORD: Excuse me. I don't want to
24 interrupt in the middle of a question, but I want to
25 say I think you may be getting beyond the scope of

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1 this continuation deposition. I'd be interested in
2 hearing how you're not.

3 MR. RANGLES: I don't think I am. I've got
4 about two more questions, if you'd just let me tidy
5 this up.

6 MR. GAYLORD: You had discussions of

7 disfellowship pretty thoroughly before. Let's see
8 where you go with this question.

9 Q. Were you at a meeting where they said, Mr. Williams
10 has been disfellowshipped?

11 A. Yes.

12 Q. And did he have an official document to that effect?

13 A. They don't give documents to that statement.

14 Q. Did a judicial overseer or members of a judicial
15 oversight committee hear your husband's case?

16 A. Hear his case?

17 Q. Hear his case or come to your church to discuss it.

18 A. No. They don't -- I don't know. They don't -- They
19 didn't -- They don't have a meeting like, you know,
20 discussed and things telling, you know, whether or
21 not he's going to be disfellowshipped.

22 He had not been coming to the meetings, he was
23 smoking and that -- They gave him a certain period of
24 time to see whether or not he could stop. He
25 couldn't stop, so he was just disfellowshipped. He

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1 was no longer a fellowship member.

2 Q. And was smoking the only reason they gave for his
3 disfellowshipping?

4 A. Yes, at that time. Being inactive and not coming to
5 the meetings, of course.

6 MR. RANGLES: Let's go off the record.

7 [Recess: 9:57 - 10:16]

8 MR. RANGLES: I don't have any more questions.

9

10

EXAMINATION

11

BY-MR. GAYLORD:

12

Q. Mrs. Williams, you were asked a number of questions about your husband Jessie Williams' reading of literature from the Jehovah's Witness society before and after the time of his disfellowship.

16

A. Yes.

17

Q. Do you remember that general subject? You've indicated that there was a time before he was disfellowshipped when he read the publications that came to your house from cover to cover?

21

A. Yes.

22

MR. RANGLES: Object to the form of the question.

23

24

A. Before, yes.

25

Q. I'm just reminding you of the subject at this point.

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1

A. Okay.

2

Q. What can you explain to us was the way he would read any of that literature after the time of his disfellowship, if he read any of it?

4

5

A. Well, I believe that he was reading it because I would put articles out for him, like I would lay them in the bathroom or on the kitchen table for him to read. And, you know, that's the only way I know that I thought that he was reading them. I don't know for sure that he read them, but then that's how I left them for him.

11

12

Q. Okay. So when you've indicated that he was not

13 reading from cover to cover but did continue to read
14 some of the publications until the time of his death,
15 you're referring to a circumstance where you would
16 place things out for him to find and read?

17 MR. RANGLES: Object to the form.

18 A. Yes, that's true.

19 MR. GAYLORD: That's all.

20 MR. RANGLES: I have no more questions.

21 [Deposition adjourned at 10:18]

22 [N.B.: As a matter of firm policy, the Stenographic
23 notes of this transcript will be destroyed 3 years
24 from the date appearing on the following certificate,
25 unless notice is received otherwise from any party or

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1 counsel hereto on or before said date of the 2nd day
2 of September, 2001.]

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1 C E R T I F I C A T E
2 I, Lisa J. Pace, a Certified Shorthand
3 Reporter for the State of Oregon, do hereby certify
4 that pursuant to stipulation of counsel hereinbefore
5 set out, MAYOLA WILLIAMS personally appeared before
6 me at the time and place mentioned in the caption
7 herein; that the witness was by me first duly sworn
8 on oath, and examined upon oral interrogatories
9 propounded by counsel; that said examination,
10 together with the testimony of said witness, was
11 taken down by me in stenotype and thereafter reduced
12 to typewriting; and that the foregoing transcript,
13 Pages 130 to 167, both inclusive, constitutes a full,
14 true and accurate record of said examination of and
15 testimony given by said witness, and of all other
16 oral proceedings had during the taking of said
17 deposition, and of the whole thereof.
18 Witness my hand at Oregon City, Oregon,

19 this ____ day of September, 1998.

20

21

22 Lisa J. Pace

23 Certified Shorthand Reporter

24 Certificate No. 90-0102

25